

EXHIBIT 42

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Expert Report of Professor Thomas McGuire

Damages to Bellwethers

March 25, 2019

in Akron, “reported an average of 1.5 opioid overdose reversals daily.”⁵¹ “From July 5 to Aug. 4 [2016], authorities reported 338 emergency calls for overdoses in Akron.”⁵²

45. Law enforcement officers are also first responders to emergency calls. Opioid overdoses have become so common that police officers in the Bellwether communities carry Naloxone, the drug sometimes capable of reversing opioid overdoses, as officers sometimes arrive at the scene of a potential overdose before EMS.⁵³ Police officers also investigate incidents of overdoses in an attempt to identify and apprehend the individual who provided the drugs. “The heroin death toll has gotten so high that the [Akron] Police Department has a special unit whose only job is to look into who provided the deadly dose of drugs.”⁵⁴

46. In addition to additional police work created by opioid overdoses, some people who abuse opioids commit crimes to support their addiction.⁵⁵ As discussed above, crime resulting from opioid abuse diverts police time from other law enforcement activities. This crime also imposes additional costs in other municipal departments. With increases in the number of

⁵¹ County of Summit ADM Board, 2014 Report to the Community.

⁵² Glunt, Nick, “Survivors Speak Up to Slow Down OD’s; While Wave of Overdoses Grips the County, Grass-Roots Efforts to Fight Heroin Addiction Thrive,” *Akron Beacon Journal*, August 7, 2016.

⁵³ Summit County Opiate Task Force, 2017-2018 Strategic Plan; Cuyahoga County Opiate Task Force, 2017; Conn, Jennifer, “Akron Police to Carry Drug Antidote in their Cars,” *The Plain Dealer*, August 21, 2016.

⁵⁴ Warsmith, Stephanie, “Akron Police Expand Unit Investigating Heroin Deaths,” *Beacon Journal*, April 3, 2016.

⁵⁵ A 2018 study found that individuals who self-reported opioid abuse were more likely to be involved in the criminal justice system. Winkelman, Tyler NA, Virginia W. Chang, and Ingrid A. Binswanger, “Health, Polysubstance Use, and Criminal Justice Involvement Among Adults with Varying Levels of Opioid Use,” *JAMA Network Open*, 2018. Further, researches have posited the opioid epidemic as a contributory factor in recent increases in homicide in the United States. Rosenfeld, Richard, Shytierra Gaston, Howard Spivak, and Seri Irazola, “Assessing and Responding to the Recent Homicide Rise in the United States,” National Institute of Justice, November 2017. See also Prof. Gruber’s discussion on crime in the Gruber Report and Prof. Cutler’s analysis in the Cutler Report on the effect of shipments on crime.

arrests, more people enter the jail and court systems, taking time and other resources of prosecutors, public defenders, and the courts.

47. Cuyahoga County implemented a Drug Court Program in 2009 and a Recovery Court program in 2015.⁵⁶ Together the program serves nearly 300 participants annually.⁵⁷ According to Molly Leckler, the coordinator of the program, approximately 85 percent of the Drug court Participants and nearly all of the Recovery Court participants have opiate diagnoses.⁵⁸

48. New programs to help those suffering from opioid abuse have been implemented by the Bellwether governments. For example, in January 2017 Summit County started a community outreach program where plainclothes police and fire personnel visit the homes of suspected opioid addicts to try to get them help before a crisis.⁵⁹ In March 2013, Cuyahoga County launched the initiative “Project Dawn”, a community-based program that provides free naloxone distribution and education.⁶⁰

49. Overdose deaths increase demands on county medical examiners. The Cuyahoga County Medical Examiner’s Office (CCMEO) must investigate “violent, suspicious, sudden and

⁵⁶ Deposition of Molly Leckler, November 19, 2018 (Leckler Deposition) at pp. 19:20-24, 108:15-17.

⁵⁷ Deposition of Molly Leckler, November 19, 2018 (Leckler Deposition) at p. 108:8-14.

⁵⁸ Deposition of Molly Leckler, November 19, 2018 (Leckler Deposition) at p. 59:20-60:8.

⁵⁹ Mace, Gina, “Cuyahoga Falls Combats Addiction; City Leaders Developing Quick-Response Team to Assist to[sic] Opiate Addicts,” *Akron Beacon Journal*, January 14, 2017; Schleis, Paula, “Stow is the Latest Community to Form Quick Response Team to Get Help to Opiate Addicts,” *Akron Beacon Journal*, February 15, 2017. The City of Akron started a similar program in February 2017 calling the counselors, police and fire visitors the “Quick Response Team” (See Livingston, Doug, “Drug Response Team in Akron; Trio Specializing in Opioids to Visit People Suspected of Recently Overdosing in City,” *Akron Beacon Journal*, February 28, 2017).

⁶⁰ <http://opiatecollaborative.cuyahogacounty.us/en-US/Project-DAWN.aspx>

unexpected deaths” in Cuyahoga County, which includes deaths due to opioid use.⁶¹ The office investigated 237 heroin and fentanyl-related deaths in 2014.⁶²

50. Opioid-rehabilitation services for opioid abusers include detoxification services and/or medically assisted treatment (MAT). According to a Summit County report, “[t]here were more than four admissions a day for detoxification at the ADM Board’s Crisis Center, with nearly nine more drop-in admissions per day. At least two out of three admissions are opiate-related.”⁶³

B. Identification of Bellwether Divisions Most Affected by the Opioid Crisis and Total Costs of these Divisions

51. To identify affected divisions, I, and my team under my direction, reviewed budget and expenditure information from the Bellwether governments. I began with divisions representing larger shares of the Bellwether governments’ overall expenditures. I then reviewed the activities undertaken by each of the larger divisions to determine whether these divisions were likely to have been affected in line with my discussion above on the effect the opioid epidemic has had on the demand for certain services provided by the Bellwether governments. In addition, I and members of my team met with local officials to confirm my understanding of both the activities undertaken by these divisions and whether those activities had been affected by the opioid crisis. After this review, I identified divisions within each of the Bellwether governments that would be the focus of my cost analyses. These divisions provide services generally related to (1) criminal activities occurring in the area (e.g. courts and

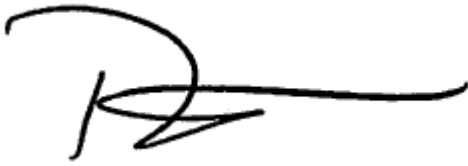
⁶¹ Cuyahoga County Opiate Task Force Report, 2015, p. 5.

⁶² Cuyahoga County Opiate Task Force Report, 2015, p. 2.

⁶³ “An Opiate Epidemic; A Task Force in Summit County Mobilizes Against a Problem that Today is the State’s Leading Cause of Accidental Deaths,” *Akron Beacon Journal*, April 23, 2014.

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A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a horizontal line and a small flourish.

Thomas McGuire